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September 4, 2018

VIA ELECTRONIC FILING AND OVERNIGHT MAIL

The Honorable Vincent L. Briccetti
United States District Judge
United States District Court, Southern District of New York
300 Quarropas St., Courtroom 620
White Plains, NY 10601

RE: *Plaintiff John Cullen v. Defendants Citibank, N.A., United States Department of Labor and United States Department of Justice*
Case No. 18-cv-6369

Dear Judge Briccetti:

Morgan Lewis & Bockius LLP represents Defendant Citibank, N.A. (“Citibank”) in the above-referenced action (the “Action”). We write this letter motion pursuant to Federal Rule of Civil Procedure 7(b) and Your Honor’s Rules 1(B) to request relief in the form of an Order prohibiting Plaintiff John Cullen (“Plaintiff”) from (a) coming within 500 yards of undersigned counsel’s personal residence, (b) approaching, confronting, or otherwise communicating with any members of my family, or (c) approaching, confronting, or otherwise communicating with me except in writing or as necessary at court appearances or other scheduled events directly related to this litigation. As explained in more detail below, Plaintiff recently sent an email suggesting he intends to appear at my home on Sunday September 16, which necessitated this letter motion.

Discussion

As explained in Citibank’s Motion to Dismiss (Dkts. 9 and 10), Mr. Cullen is a former Citibank employee with a long litigation history. During that time, although most of Mr. Cullen’s communications have been through email, he has, at times, threatened to come to Morgan Lewis’s offices for unscheduled and unwelcome visits, and on at least one occasion, took a photo of himself just outside Morgan Lewis’s New York office holding a newspaper on which he appears to have hand-written my name. (Dkt. 11-7).

On August 31, 2018, Mr. Cullen sent another email. (Exhibit 1). In that email, Mr. Cullen expresses (among other things) that he intends to “visit Langhorne Sunday Sept 16th.” This statement of Mr. Cullen’s intention is very troubling, as Mr. Cullen is well-aware that I live in Langhorne, Pennsylvania with my family. Indeed, Mr. Cullen sent an email in 2014 in which he referenced my specific home address in Langhorne, Pennsylvania. (Exhibit 2). (The specific

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house number has been redacted from the exhibit to this filing, but Mr. Cullen's original email included a house number.).¹

Mr. Cullen lives in New York. Mr. Cullen offers no legitimate reason to be in Langhorne, Pennsylvania, and no reason – other than as a threat – for him to *tell me* that he intends to come to Langhorne on Sunday, September 16. This email threat is highly improper, and well beyond any accommodation that might be afforded to a pro se litigant.

As such, we respectfully request that the Court issue an Order prohibiting Mr. Cullen from (a) coming within 500 yards of undersigned counsel's personal residence, (b) approaching, confronting, or otherwise communicating with any members of my family, or (c) approaching, confronting, or otherwise communicating with me except in writing or as necessary at court appearances or other scheduled events directly related to this litigation. Further, and because Mr. Cullen has indicated that he intends to go to Langhorne on September 16, we respectfully request expedited consideration of this request.

Thank you for your consideration of this request.

Respectfully submitted,

/s Jeremy P. Blumenfeld

cc: Counsel of Record (via ECF)
Mr. John Cullen (via email and overnight mail)

¹ It appears that Mr. Cullen did not copy the Court on his August 31, 2018 email, but did forward that email to the Court via separate email on September 4, 2018. (Exhibit 3).